

**E-FILED on** 6/7/05

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

TOW SERVICE, INC.,

Plaintiffs,

v.

CITY OF SAN JOSE, et al.

Defendants.

No. C-04-04165 RMW

ORDER GRANTING PLAINTIFFS' MOTION  
FOR EXTENSION OF TIME IN WHICH TO  
FILE RESPONSE TO MOTION TO DISMISS

**[Re Docket No. 27]**

This matter is scheduled for (1) a hearing on defendants' motion to dismiss and (2) a case management conference on June 10, 2005. Plaintiffs' opposition to defendants' motion was due on May 20, 2005. Because plaintiffs' counsel recently withdrew, the court grants plaintiffs' motion for an extension of time to respond to defendants' motion to dismiss. Plaintiffs must file an opposition no later than 5:00 p.m. on Monday, June 20, 2005. The court advises plaintiffs that it will likely grant defendants' motion as unopposed unless they file an opposition by that date.

Defendants' reply brief is due no later than 5:00 p.m. on Monday, June 27, 2005. However, the court anticipates that it shall be willing to give defendants additional time to file a reply if they so require. The court reschedules the hearing on defendants' motion for 9:00 a.m. on Friday, July 8, 2005. The case management conference will occur at 10:30 that same day.

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DATED: 6/1/05

/s/ Ronald M. Whyte  
RONALD M. WHYTE  
United States District Judge

1 **Notice of this document has been sent to:**

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16 **Dated:** 6/7/05

DOH  
**Chambers of Judge Whyte**